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PATENT  
Attorney's Docket No. 202143

### COMBINED DECLARATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that

This declaration is of the following type:

- ☒ original ☐ design ☐ supplemental  
☐ national stage of PCT  
☐ divisional ☐ continuation ☐ continuation-in-part

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (*if only one name is listed below*) or an original, first, and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### INCENTIVE POINTS REDEMPTION PROGRAM CARRIED OUT VIA AN ON-LINE AUCTION

the specification of which:

- ☐ is attached hereto.  
☒ was filed on October 8, 1999 as Application No. 09/414,951 and was amended on \_\_\_\_\_ (*if applicable*).  
☐ was filed by Express Mail No. \_\_\_\_\_ as Application No. not known yet, and was amended on \_\_\_\_\_ (*if applicable*).  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (*if any*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	APPLICATION	DATE OF FILING (day,month,year)	PRIORITY CLAIMED UNDER 35 USC 119			
				YES		NO
				YES		NO
				YES		NO

I hereby claim the benefit pursuant to Title 35, United States Code, § 119(e) of the following United States provisional application(s):

In re Appln. of Michael A. Arkes  
 USSN: 09/414,951  
 Attorney Docket No. 202143

PRIOR U.S. PROVISIONAL APPLICATIONS CLAIMING THE BENEFIT UNDER 35 USC 119(e)	
APPLICATION NO.	DATE OF FILING

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120					
U.S. APPLICATIONS			Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE		PATENTED	PENDING	ABANDONED
1. 0 /					
2. 0 /					
3. 0 /					
PCT APPLICATIONS DESIGNATING THE U.S.			Status (check one)		
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLN. NOS. ASSIGNED (if any)	PATENTED	PENDING	ABANDONED
4.					
5.					
6.					

DETAILS OF FOREIGN APPLICATIONS FROM WHICH PRIORITY CLAIMED UNDER 35 USC 119 FOR ABOVE LISTED U.S./PCT APPLICATIONS				
ABOVE APPLN. NO.	COUNTRY	APPLICATION NO.	DATE OF FILING (day,month,yr)	DATE OF ISSUE (day,month,yr)
1.				
2.				
3.				
4.				
5.				
6.				

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

In re Appln. of Michael A. Arkes  
USSN: 09/414,951  
Attorney Docket No. 202143

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Brett A. Hesterberg, Reg. 31837  
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Paul J. Korniczky, Reg. 32849  
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David J. Schodin, Reg. 41294  
Paul L. Ahern, Reg. 17020  
Theodore W. Anderson, Reg. 17035  
Noel I. Smith, Reg. 18698

I further direct that correspondence concerning this application be directed to LEYDIG, VOIT & MAYER, LTD., Two Prudential Plaza, Suite 4900, 180 North Stetson, Chicago, Illinois 60601-6780, Telephone (312) 616-5600.

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Michael A. Arkes

Inventor's signature Michael A. Arkes

Date 11/29/99

Country of Citizenship: U.S.A.

Residence: 1501 North State Street  
Apt. 16B  
Chicago, IL 60610

Post Office Address: 1501 North State Street  
Apt. 16B  
Chicago, IL 60610

Full name of second joint inventor, if any: None

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Country of Citizenship:

Residence:  
(city/state or country)

Post Office Address:  
(complete mailing address)



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**PATENT**

Attorney Docket No. 202143

Applicant or Patentee: Michael A. Arkes  
Serial or Patent No.: 09/414,951  
Filed or Issued: October 8, 1999  
For: INCENTIVE POINTS REDEMPTION PROGRAM  
CARRIED OUT VIA AN ON-LINE AUCTION

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(f) & 1.27(b) - INDEPENDENT INVENTOR**

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

**INCENTIVE POINTS REDEMPTION PROGRAM  
CARRIED OUT VIA AN ON-LINE AUCTION**

described in:

- ☐ The specification filed herewith.  
☒ Application Serial No. 09/414,951, filed October 8, 1999.  
☐ Patent No. , issued .

**Others Having Rights In The Invention**

I have not assigned, granted, conveyed, or licensed, and I am not under any obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization.  
☒ persons, concerns, or organizations listed below. (NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to his/her/its status as a small entity.)

Name: Hinda, Inc.  
Address: 2440 West 34th Street  
Chicago, IL 60608-5181

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

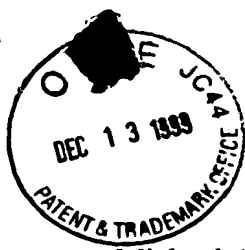
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor: **Michael A. Arkes**

Michael A Arkes  
Signature of Inventor

11/29/99  
Date



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**PATENT**

Attorney Docket No. 202143

Applicant or Patentee: Michael A. Arkes  
Serial Or Patent No.: 09/414,951  
Filed or Issued: October 8, 1999  
For: INCENTIVE POINTS REDEMPTION PROGRAM  
CARRIED OUT VIA AN ON-LINE AUCTION

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(f) & 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Hinda, Inc.  
Address of Concern: 2440 West 34th Street  
Chicago, IL 60608-5181

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement: (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: INCENTIVE POINTS REDEMPTION PROGRAM CARRIED OUT VIA AN ON-LINE AUCTION, by inventor(s) Michael A. Arkes, as described in:

- ☐ The specification filed herewith.  
☒ Application Serial No. 09/414,951, filed 10/08/99.  
☐ Patent No. , issued .

**Others Having Rights In The Invention**

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by

any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e). (NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to his/her/its status as a small entity.)

Name:

Address:

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:      Michael A. Arkes  
Title in Organization:      President  
Address of Person Signing:      2440 West 34th Street  
   Chicago, IL 60608-5181

Michael A. Arkes  
Signature

11/29/99  
Date